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SENSITIVE
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TAGS: [PGOV](#) [KDEM](#) [PINR](#) [SOCI](#) [SO](#)
SUBJECT: SOMALIA - DATE OF SOMALILAND PRESIDENTIAL
ELECTIONS DISPUTED

REF: A. NAIROBI 147
[1](#)B. 08 NAIROBI 1489

[1](#)1. (SBU) Summary: An on-again, off-again dispute over the date of the Somaliland presidential elections, which had most recently been tentatively scheduled for May 31, gathered steam on March 28, when a special session of the Guurti (House of Elders) voted to extend incumbent President Riyale's term to October 29. It was to have expired May 6 (although opposition parties contend it should have expired April 6). The opposition parties have termed the Guurti's decision unconstitutional and the public is waiting for the Somaliland National Election Commission to make a final announcement on the election date. UCID opposition party Chairman and presidential candidate Faisal Warabe has publicly opposed the Guurti's decision and lobbied for the May 31 election date. Kulmiye opposition party Chairman and presidential candidate Mohamed Silanyo has condemned the vote, asserting that it could lead to instability that could jeopardize Somaliland's bid for independence. Many believe the extension was a result of heavy-handed tactics by the ruling party to delay an election that many believe President Riyale would lose if it occurred today. All parties in Somaliland have called for calm in the wake of the vote, and there have been no significant public disturbances to date. End summary.

Guurti Vote Continues
Controversy

[1](#)2. (SBU) A March 28, 42 to 35 vote by the Somaliland House of Elders (Guurti) to extend incumbent President Riyale's term, which had been due to expire May 6 (although opposition parties contend it should have expired April 6), to October 29, has capped the latest stage of an on-again, off-again argument about the timing of the presidential elections and the length of the President's term of office. The vote was significant in that the Guurti typically operates by consensus and the official results came only after two recounts. The first vote was reportedly in favor of the opposition, 40 to 39 not to extend the presidential mandate. With administration supporters claiming a miscount, a second vote was reportedly 40 to 39 in favor of the extension. The chairperson then suggested a a roll call vote that resulted in the official vote (one abstained and the chairperson did not vote). The division in the Guurti reportedly reflects the division among the majority of Somalilanders.

Long-Simmering

13. (SBU) Somaliland's presidential and local elections were originally to have been held in March 2008, but were delayed by the slow and contentious process of re-constituting the National Electoral Commission (NEC) and a lack of agreement on the voter registration process (ref a). In April 2008, the crisis reached a head when the Guurti unilaterally extended the term of the President to April 6, 2009. After several months of extensive negotiations, Somaliland's political stakeholders reached consensus on a timetable for a full voter registration process. They agreed with the Guurti that the presidential elections would be held on April 6, 2009, and would be followed by local elections. They also agreed on an amendment to the voter registration law to accommodate these changes, which was adopted by the Parliament and the Guurti. On June 16, 2008, the three political parties signed a supplemental, eight-point agreement on the electoral process (ref b). That agreement stipulated inter alia that any change of the election date and/or presidential mandate needed to be agreed by all three political parties, the NEC, and the Parliament.

14. (SBU) After the October 29, 2008 suicide bombings in Hargeisa, Somaliland's capital, the NEC requested that the election be deferred, from March 31 to May 31, 2009. The new election date meant that either Riyale's term would have to be extended, or a caretaker government would have to be appointed when it ended on May 6. The extension to May 31 was agreed to by the political parties, as stipulated in the June

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agreement, but there was no provision made for either extending the President's term, or appointing a caretaker to act as president from May 6 until the inauguration of a new president. Meetings among the three parties on that subject during the week of March 23 ended inconclusively.

15. (SBU) According to observers in Hargeisa, the 82-member Guurti was divided into three factions (roughly corresponding to the positions of each political party), at the time of the March 28 vote to extend Riyale's term:

-- President Riyale's UDUB party supported a six-month extension of the incumbent's term, allegedly in order to provide the NEC with sufficient time to ensure that all voters were registered, and the elections conducted in an orderly manner;

-- Chairman and presidential candidate Mohamed Mohamed Silanyo's opposition Kulmiye party argued against any extension of Riyale's term of office, insisting it would not recognize the current government after April 6;

-- a third faction supported the NEC proposal that Riyale's term be extended until May 31, in order to ensure a seated government until the election date.

16. (SBU) The Guurti factions buttressed their arguments with competing citations from the Somaliland Constitution. In the event, the vote was largely along party lines, and Riyale's majority UDUB party eventually prevailed, but only after two recounts, then the recorded vote. (Note: An observer to the process told us that since voting is not a standard procedure within the Guurti, the formalized process likely intimidated some who did not want to go on the record against Riyale). The Guurti's decision was rejected by the opposition parties, which argued that only the NEC had the right to propose an extension of the President's term of office and by extension, an election date. The NEC has to date been silent on both issues.

17. (SBU) On March 31, Kulmiye called a press conference to make its position clear -- that it would not recognize Riyale as President after April 6. Silanyo announced that he is

ready for elections at any time and did not press for a specific date. While he did not state it outright, Silanyo inferred that the Guurti's decision was a ploy by the ruling party to permanently delay elections. The opposition leader said he would follow whatever decision the NEC makes. Riyale's UBUB party fought back in a press release and called Silanyo's announcement "alarming and unconstitutional" and said it would not be tolerated. As of April 1, negotiations were reportedly still underway, though dialogue is strained at best. While Kulmiye's Silanyo and UCID's Warabe have rejected the Guurti's decision, they have reportedly asked that their followers not take their unhappiness to the streets, and calm has, so far, prevailed.

Comment

18. (SBU) Reftels detail the ups and downs of this much delayed election. With the latest vote by the Guurti, suspicions have crystallized in some quarters that UDUB's intention all along has been to keep President Riyale in office for as long as possible and avoid the unknowns of a presidential election. While Silanyo continues to fuel the debate, he has also been careful not to push too hard because he has a strong constituency concentrated in the nomadic population that would have abandoned its assigned voting districts to move into other areas. Most observers believe that elections will likely be delayed until the end of September, but it is less clear that they will be able to reach consensus about Riyale's term in office. While this latest episode is further weakening Riyale's popularity, few Somalilanders are willing to mount too great a protest for fear that it would unleash a reaction that would undermine the region's greater democratic ambitions and hopes for recognition as an independent state. For this reason, we do not expect violence and are encouraging all sides to continue dialogue.

RANNEBERGER